

Remarks/Arguments:

Amendments to the Claims

Claims 1-83 remain in this application. By the present Amendment, claims 3, 28, 29, 45, 49, 53, 57, 64, 69, 81 and 83 are amended. Claim 3 is amended to remove surplusage which repeated language in independent claim 1 and which did not affect the scope of claim 3. Claim 83 is amended to remove surplusage which clearly was added to claim 83 by inadvertent error, as evidenced by the obvious lack of antecedent basis. The remaining claims are amended to correct obvious typographical errors.

Response to Restriction Requirement

In response to the Office Action mailed September 15, 2004, the Applicant respectfully elects the claims of Group II, that is, claims 30-83, with traverse.

A restriction requirement is proper only if (A) the claims recite inventions that are independent . . . or distinct as claimed” and (B) examining the claims together as filed would impose a “serious burden on the examiner.” MANUAL OF PATENT EXAMINING PROCEDURE [hereinafter “MPEP”] § 803. “In passing upon the questions of double patenting and restriction, it is the claimed subject matter that is considered and such claimed subject matter must be compared in order to determine the question of distinctness or independence.” MPEP § 806.01.

Preliminarily, the Applicant agrees that the elected claims 30-83, each of which is classified in class 285, subclass 311, are properly grouped. Note that independent claims 10 and 51 are related as product and process of making the product. Likewise note that independent claims 15 and 69 are related as product and process of making the product. Likewise, note that independent claims 27 and 83 are related as product and process of making the product.

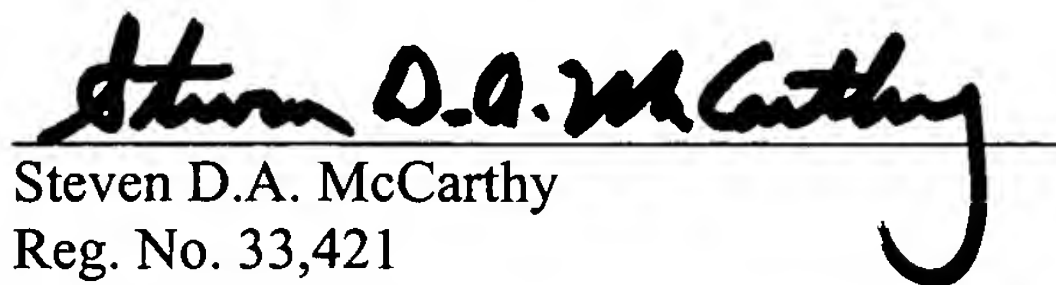
A product and a process for making the product are independent or

distinct only if the claimed process "can be used to make other and different products" and the claimed product "can be made by another and materially different process." MPEP § 805.05(f). The Applicant respectfully asserts that the process of claim 10 and the product of claim 51 do not meet these criteria. The Applicant likewise asserts that the process of claim 15 and the product of claim 69 do not meet these criteria. The Applicant likewise asserts that the process of claim 27 and the product of claim 83 do not meet these criteria. Therefore, the processes and products are not independent or distinct.

The Office Action asserts that, "[i]n the instant case the product as claimed can be made by another and materially different process, such as clamping the collar around the conduit and insert, rather than pushing the collar retainer along the exterior of the conduit and over the insert." The Applicant respectfully disagrees. For example, the Applicant notes that claims 15 and 27 do not recite "pushing the collar retainer along the exterior of the conduit and over the insert;" hence, claims 15 and 27 are broad enough to include processes which include "clamping the collar around the conduit and insert." Thus, the processes of claims 10-29 are not independent or distinct from the products of claims 30-83.

Next, consider claims 1-9. The Applicant agrees that claims 1-29 are all classified in class 29, subclass 890.14. Hence, without addressing the dependence and indistinctness of claims 1-9, the Applicant respectfully asserts that the examination of claims 1-9 together with claims 10-83 does not impose a serious burden on the Examiner. *See* MPEP § 808.02. In light of this conclusion, the Applicant respectfully requests that the restriction requirement be withdrawn.

Respectfully submitted,


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